IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

MAY	22	2014	
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STEVE EDWARD GROGANS,)
Petitioner,	Criminal Action No. 7:11cr21
v.) <u>2255 FINAL ORDER</u>
UNITED STATES OF AMERICA,	By: Samuel G. WilsonUnited States District Judge
Respondent.)

In accordance with the memorandum opinion entered on this day, it is hereby

ORDERED and ADJUDGED that the petitioner's 28 U.S.C. § 2255 motion to vacate (ECF No. 51) is DENIED, and the Government's motion to dismiss (ECF No. 55) the petitioner's remaining ineffective assistance of counsel claim is GRANTED. The case is hereby

DISMISSED and is STRICKEN from the court's active docket. Further, finding that Grogans has failed to make the requisite substantial showing of the denial of a constitutional right, as required by 28 U.S.C. § 2253(c), a certificate of appealability is DENIED.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to the parties.

ENTER: May 22, 2014.

UNITED STATES DISTRICT JUDGE